

**Palm Desert City Council, Successor Agency to the Palm Desert Redevelopment Agency, and
Housing Authority**

Regular Meeting Minutes

March 14, 2024, 3:30 p.m.

Present: Mayor Pro Tem Jan Harnik, Councilmember Kathleen Kelly,
Councilmember Gina Nestande, Councilmember Evan Trubee, and
Mayor Karina Quintanilla

1. CALL TO ORDER - CLOSED SESSION - 3:30 P.M.

A Regular Meeting of the Palm Desert City Council was called to order by Mayor Quintanilla on Thursday, March 14, 2024, at 3:40 p.m. in the Council Chamber, City Hall, located at 73-510 Fred Waring Drive, Palm Desert, California.

2. PUBLIC COMMENT FOR CLOSED SESSION ITEMS ONLY

3. RECESS TO CLOSED SESSION

4. CLOSED SESSION AGENDA

4.a Closed Session Meeting Minutes: February 7 and February 15, 2024

**4.b Conference with Real Property Negotiations pursuant to Government Code
Section 54956.8**

4.b.1 Property Description: Assessor's Parcel Number 637-300-023

5. ROLL CALL - REGULAR MEETING - 4:00 P.M.

6. PLEDGE OF ALLEGIANCE

Mayor Quintanilla led the Pledge of Allegiance.

7. INSPIRATION

Councilmember Kelly provided words of inspiration.

8. REPORT OF CLOSED SESSION

City Attorney Shah stated that no reportable actions were taken.

9. AWARDS, PRESENTATIONS, AND APPOINTMENTS

9.a PRESENTATION - VISIT GREATER PALM SPRINGS UPDATE

Visit Greater Palm Springs representatives Scott White, Colleen Pace and Davis Meyer narrated a PowerPoint presentation and responded to City Council inquiries.

9.b PRESENTATION - CELEBRATE CV EVENT

LocalIQ representative Nathan Truesdell narrated a PowerPoint presentation and responded to City Council inquiries.

10. CITY MANAGER COMMENTS

10.a SHERIFF DEPARTMENT UPDATE

Lt. Porras provided an update on the Blue Envelope Program and other matters of the Sheriff's Department and responded to City Council inquiries.

10.b PARTY IN THE PARK RECAP

Deputy Director of Economic Development Lawrence narrated a PowerPoint presentation and responded to City Council inquiries.

10.c FORMER COUNCILMEMBER PLAQUE UPDATE

Public Works Deputy Director Chavez provided an update and responded to City Council inquiries.

11. MAYOR/COUNCILMEMBER REPORTS AND REQUESTS FOR ACTION

Councilmembers reported on their attendance at various meetings and events.

12. NON-AGENDA PUBLIC COMMENTS

Barbara Wasserkrug, Palm Desert resident, spoke in opposition to the economic recovery plan known as The Great Reset Initiative.

Daryl Terrell, Moreno Valley resident, opined that AB 641 regarding automobile dismantlers and catalytic converter theft was not restrictive enough, and urged the City Council to adopt an ordinance that would further restrict the number of catalytic converters an individual could possess.

Rebecca, Palm Desert resident, requested assistance from the City with an ongoing issue with the legal system and the removal of her children from her home.

13. CONSENT CALENDAR

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

To approve the consent calendar as presented.

Motion Carried (5 to 0)

13.a APPROVAL OF CITY COUNCIL, SUCCESSOR AGENCY, AND HOUSING AUTHORITY MINUTES

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

Approve the Minutes of February 7 and February 15, 2024.

Motion Carried (5 to 0)

13.c ACCEPTANCE OF A RESIGNATION FROM THE MARKETING COMMITTEE

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

With regret, accept the resignation of Jeffrey Norman from the Marketing Committee.

Motion Carried (5 to 0)

13.d APPROVAL OF PARK ORDINANCE WAIVERS FOR APRIL 18, 2024, CONCERT IN THE PARK

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

Approve temporary waiver of the following Palm Desert Municipal Code (PDMC) sections for a bonus Concert in the Park on April 18, 2024:

- a. 11.01.20 (Hours of Use in City Parks)
- b. 11.01.140 (Amplified Sound in City Parks)
- c. 11.01.080 O (Placement of Advertising Signage in City Parks)
- d. 11.01.080 Q (Vendor Sales in City Parks)
- e. 11.01.080 W (Possession/Consumption of Alcohol in City Parks) pursuant to PDMC 9.58.040

Motion Carried (5 to 0)

13.e APPROVE THE 2024 HOMELESSNESS TASKFORCE ANNUAL WORK PLAN

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

Approve the 2024 Homelessness Taskforce Annual Work Plan.

Motion Carried (5 to 0)

13.f HOUSING AUTHORITY: AUTHORIZE AN INCREASE TO THE NOT TO EXCEED AMOUNT FOR HD SUPPLY FACILITIES MAINTENANCE, LTD., SERVICE FIRST, LLC., AND CURTIS ALLAN FLOOR COVERING FOR FISCAL YEAR 2023/24

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

1. Authorize an increase of \$60,000 to the not to exceed amount of HD Supply Facilities Maintenance in Fiscal Year 2023/24 for an aggregate amount of \$310,000.
2. Authorize an increase of \$15,000 to the not to exceed amount of additional services for Service First, LLC in Fiscal Year 2023/24 for an aggregate amount of \$50,000.
3. Authorize an increase of \$35,000 to the not to exceed amount of Curtis Allan Floorcovering, Inc., in Fiscal Year 2023/24 for an aggregate amount of \$285,000.

4. Appropriate \$110,000 from the Housing Authority's Unobligated 871 Fund Balance to the FY 2023/24 operating budget in the appropriate account for each of the 15 Housing Authority Properties.
5. Authorize the Executive Director or his designee to take any necessary actions to facilitate execution of amended agreements with Curtis Allan and Service First and any documents necessary to effectuate the actions taken herewith.

Motion Carried (5 to 0)

13.g AUTHORIZE OUT-OF-STATE TRAVEL FOR THE BUSINESS ENTERPRISE SYSTEMS ADMINISTRATOR TO ATTEND LASERFICHE EMPOWER 2024 ANNUAL CONFERENCE ON APRIL 22 THROUGH APRIL 25, 2024, IN LAS VEGAS, NEVADA

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

Authorize out-of-state travel for the Business Enterprise Systems Administrator to attend Laserfiche Empower Annual Conference on April 22 through April 25, 2024, in Las Vegas, Nevada.

Motion Carried (5 to 0)

13.h ADOPT A RESOLUTION AMENDING AND UPDATING THE CITY'S EMERGENCY MEDICAL SERVICES BILLING PROGRAM FEE SCHEDULE AND RELATED WRITE-OFF POLICY

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

Adopt Resolution No. 2024-008 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING AND UPDATING THE CITY'S EMERGENCY MEDICAL SERVICES BILLING PROGRAM FEE SCHEDULE AND RELATED WRITE-OFF POLICY."

Motion Carried (5 to 0)

13.i ADOPT RESOLUTION APPROVING FINAL PARCEL MAP NO. 38751

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

Adopt Resolution No. 2024-009 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE FINAL SUBDIVISION MAP OF FINAL PARCEL MAP NO. 38751".

Motion Carried (5 to 0)

13.j AWARD A CONTRACT TO HR GREEN PACIFIC, INC., FOR INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES OF THE FIRECLIFF GREENS/TEE BOX RENOVATION AND TURF REDUCTION PROJECT AT DESERT WILLOW GOLF RESORT IN THE AMOUNT OF \$199,645 (PROJECT NO. MLS00005)

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Trubee

1. Award Contract No. C44200C to HR Green Pacific, Inc., to provide inspection and construction management services of the Firecliff Golf Course Greens/Tee Box Renovations and Turf Reduction at Desert Willow Golf Resort (DWGR) in the amount not to exceed \$199,645.
2. Authorize the Finance Department to set aside a contingency in the amount of \$20,000 for unforeseen circumstances.
3. Authorize the City Manager to review and approve written contract change orders requests per Section 3.30.170 of the Palm Desert Municipal Code.
4. Authorize the City Attorney to make any necessary non-monetary changes to the agreement.
5. Authorize the City Manager to execute the agreement and any documents necessary to effectuate the actions taken herewith.

Motion Carried (5 to 0)

13.k RATIFY A LETTER OF SUPPORT FOR THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS' GRANT APPLICATION FOR THE ADDRESSING CLIMATE CHANGE, EMERGENCIES, AND SAND STORMS (ACCESS) INDIAN CANYON DRIVE PROJECT

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Trubee

Ratify a letter of support for the Coachella Valley Association of Governments (CVAG) grant application to the Southern California Association of Government (SCAG) for the ACCESS Indian Canyon Drive Project.

Motion Carried (5 to 0)

13.l RATIFY PREQUALIFIED VENDOR LIST SUBMISSIONS THROUGH FEBRUARY 29, 2024

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Trubee

Ratify prequalified vendor list submissions received through February 29, 2024, for the City of Palm Desert, Successor Agency to the Palm Desert Redevelopment Agency, Palm Desert Housing Authority, and Desert Willow Golf Resort.

Motion Carried (5 to 0)

13.m RATIFY A LETTER OF SUPPORT FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS' GRANT APPLICATION FOR U.S. DEPARTMENT OF TRANSPORTATION'S REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT PROGRAM

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

Ratify a letter of support for the Southern California Association of Governments (SCAG) Grant Application for the "Southern California Comprehensive Sustainable Freight Plan" to the U.S. Department of Transportation.

Motion Carried (5 to 0)

13.n APPROVAL OF THE VISIT GREATER PALM SPRINGS SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

1. Approve the Visit Greater Palm Springs Second Amended and Restated Joint Powers Agreement with the cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, Rancho Mirage and the County of Riverside.
2. Authorize the Mayor and City Manager to execute all necessary documents to effectuate this action.

Motion Carried (5 to 0)

13.o AUTHORIZE APPROPRIATION OF FACILITY RESERVE FUND FOR SPECIAL COMMUNITY SERVICES PROJECTS

Motion by: Mayor Pro Tem Harnik
Seconded by: Councilmember Trubee

1. Authorize appropriation in the total amount of \$1,810,317 from General Fund Facility Reserves to the various Capital Projects Accounts listed for facility and park improvements.
2. Authorize the addition of the Ironwood Park Improvements Project to the FY 2023-24 Capital Improvement Project (CIP) List.

Motion Carried (5 to 0)

13.p APPROVE AMENDMENT NO. 8 AND 9 TO CONTRACT NO. C41690 WITH HR GREEN FOR CDR00004 SECTION 29 PROJECT AND ADDITIONAL SERVICES RELATED TO THE BROADBAND FEASIBILITY AND MASTER PLAN STUDY

Motion by: Mayor Pro Tem Harnik

Seconded by: Councilmember Trubee

1. Approve Amendment No. 8 and 9, respectively, to Contract No. C41690 with HR Green Pacific (HR Green) for CDR00004 Section 29 Project in an amount of \$66,000 and for additional services related to the Broadband Feasibility and Master Plan Study in the amount of \$8,496.
2. Authorize the City Manager to execute the amendments and documents necessary to effectuate the actions taken herein.

Motion Carried (5 to 0)

CONSENT ITEMS HELD OVER

13.b APPROVAL OF WARRANTS

Motion by: Councilmember Kelly

Seconded by: Mayor Pro Tem Harnik

Approve the warrants issued for the period 2/8/2024 to 2/29/2024.

Motion Carried (5 to 0)

14. ACTION CALENDAR

14.a AUTHORIZE CITY MANAGER TO AWARD LIBRARY FURNITURE, FIXTURES, FINISHES, AND EQUIPMENT CONTRACTS TO MULTIPLE VENDORS TO OUTFIT THE NEW LIBRARY LOCATED AT 73-300 FRED WARING DRIVE IN AN AMOUNT NOT TO EXCEED \$650,000 (CONTRACT NOS. C47240 A-Z)

Director of Library Services Shaffer narrated a PowerPoint presentation and responded to City Council inquiries.

Motion by: Councilmember Kelly

Seconded by: Mayor Pro Tem Harnik

1. Pursuant to PDMC Section 3.30.160(l), authorize the City Manager to review and reject bids, waive any minor irregularities, and award contracts to qualified furniture, fixture, and equipment (FF&E) vendors for the library located at 73-300 Fred Waring Drive in an aggregate amount not to exceed \$650,000, pursuant to the terms of the agreement(s).
2. Authorize the Director of Finance to reallocate funds, if necessary, from the Library Services Fund (252) to the Library Capital Projects Account No. 4524136-4400100.
3. Authorize the City Manager to execute any agreements, amendments and all other documents necessary to effectuate this action.
4. Authorize the City Attorney to make any necessary non-monetary changes to the agreement.

Motion Carried (5 to 0)

15. PUBLIC HEARINGS

15.a INTRODUCE ORDINANCE NO. 1409 TO ADOPT A NOTICE OF EXEMPTION UNDER CEQA AND APPROVE CHANGE OF ZONE 24-0001 TO CHANGE ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 73600 ALESSANDRO DRIVE FROM DOWNTOWN EDGE TRANSITION OVERLAY (DE-O) TO DOWNTOWN EDGE (DE)

Mayor Quintanilla opened the public hearing.

Principal Planner Melloni narrated a PowerPoint presentation and responded to City Council inquiries.

Sean Krejci, Palm Desert resident, expressed concern about the types of use permitted other than commercial space under the zoning change. Staff confirmed that the proposed change does not directly affect the land use classification and allows uses that are of constructive occupancy of the building.

Mayor Quintanilla closed the public hearing, there being no other member of the public wishing to speak.

Motion by: Councilmember Kelly

Seconded by: Mayor Pro Tem Harnik

Introduction of Ordinance No. 1409 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION PURSUANT TO THE STATE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING A CHANGE OF ZONE FROM DE-O TO DE FOR THE PROPERTIES LOCATED AT 73600 ALESSANDRO DRIVE (ASSESSOR'S PARCEL NUMBERS 627-153-018, AND 627-153-019)."

Motion Carried (5 to 0)

15.b INTRODUCE ORDINANCE NO. 1410 TO ADOPT A NOTICE OF EXEMPTION UNDER CEQA AND ADOPT A ZONING ORDINANCE AMENDMENT TO IMPLEMENT RESIDENTIAL AND MIXED-USE OBJECTIVE DESIGN STANDARDS

Mayor Quintanilla opened the public hearing.

Principal Planner Melloni and John Kaliski and Ameer Bhatt, of JK Architects, narrated a PowerPoint presentation summarizing the proposed residential and mixed-use objective design standards (ODS).

Mayor Quintanilla closed the public hearing, there being no one wishing to speak.

During the course of discussion, the City's consultant and staff responded to inquiries as follows:

- There is a process, such as review by the Architectural Review Commission, in which a developer who wishes to propose a project which does not conform to the ODS may seek an exception.
- There is a need to establish ODS as the State has restricted the City's ability to apply subjective standards on certain residential and mixed-use housing projects.
- Explained that a "sense of quality" as referenced in the ODS refers to the idea that the City Council, through the creation of ODS, will ensure a sense of quality in future projects.
- A landscaping expert will be consulted regarding the appropriateness of hybrid Palo Verde trees being included in the acceptable plant palette and will report back to the City Council.

Following discussion, it was agreed that the ODS should be modified as follows:

- Chapter 3, Passive and Active Amenities: Create consistent "number of dwelling units" categories for both passive and active amenities and amend Table 3.9.3. to increase number of required active amenities.
- Chapter 3, Landscape and Open Space: Explicitly prohibit any invasive, noxious, and nuisance plant species, inclusive of the *Washingtonia robusta*.
- Chapter 4: Building Architecture: Revise language so that no building wall shall exceed 250 feet in length.
- Chapter 4. Building Architecture: Revise language so that a 40-foot open-to-the-sky building breaks shall be provided between resulting structures.
- Chapter 4, Building Architecture: Revise language so that a minimum of four out of the 11 options for building modulation must be utilized.
- Chapter 5, Parking: Remove language that prohibits surface parking lots in the frontage setback or between buildings and the public street. If someone were to place a surface parking lot in this area, they would be required to provide a fence, wall, or 10' landscape buffer.
- Chapter 6, ODS Compliance Checklist: Correct the Multifamily Compliance Checklist reference to "ODS 3.14" to "ODS 3.5.2."

Motion by: Councilmember Kelly
Seconded by: Councilmember Nestande

Introduction of Ordinance No. 1410 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING THE PALM DESERT MUNICIPAL CODE TO ADD CHAPTER 25.42 – MULTIFAMILY AND MIXED-USE OBJECTIVE DESIGN STANDARDS AND AMENDING OTHER CHAPTERS OF THE ZONING ORDINANCE", as amended.

Motion Carried (5 to 0)

16. INFORMATION ITEMS

None.

17. ADJOURNMENT

The City Council adjourned at 6:15 p.m.

Respectfully submitted,

Níamh M. Ortega, CMC
Assistant City Clerk/Assistant Secretary

Anthony J. Mejia, MMC
City Clerk/Secretary